

# ASSEMBLY, No. 4297

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED NOVEMBER 21, 2011

**Sponsored by:**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Assemblywoman CONNIE WAGNER**

**District 38 (Bergen)**

**Assemblyman CHARLES MAINOR**

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**District 32 (Bergen and Hudson)**

**Assemblywoman ELEASE EVANS**

**District 35 (Bergen and Passaic)**

**Assemblyman ANGEL FUENTES**

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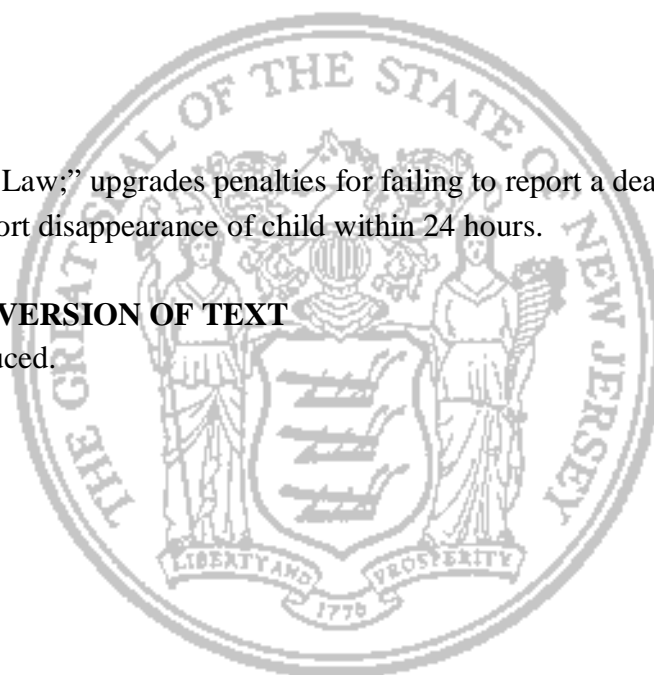
**Assemblymen O'Donnell, Diegnan, Rumpf, Assemblywoman Gove and  
Assemblyman Coughlin**

**SYNOPSIS**

“Caylee’s Law;” upgrades penalties for failing to report a death; criminalizes failure to report disappearance of child within 24 hours.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 12/9/2011)

1 AN ACT concerning certain reporting requirements, designated as  
2 Caylee's Law, amending P.L.1967, c.234, and supplementing  
3 chapter 12 of Title 2C of the New Jersey Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. Section 12 of P.L.1967, c.234 (C.52:17B-89) is amended to  
9 read as follows:

10 12. Any person who may become aware of any death by criminal  
11 violence **[or]**, by accident or suicide, or in any suspicious or  
12 unusual manner, shall report **[such]** that death to the office of  
13 county medical examiner, the office of State Medical Examiner, or  
14 to the police department of the municipality in which **[such]** the  
15 person died.

16 Any person who shall willfully neglect or refuse to report **[such]**  
17 the death, or who, without an order from the office of county  
18 medical examiner or the office of State Medical Examiner, shall  
19 willfully touch, remove, or disturb the body of **[any such]** the  
20 person, or touch, remove or disturb the clothing upon or near  
21 **[such]** the body, is **[a disorderly person]** guilty of a crime of the  
22 fourth degree.

23 (cf: P.L.1967, c.234, s.12)

24  
25 2. (New section) a. A parent, guardian, or other person with  
26 legal custody of a child who knew or should have known of the  
27 disappearance of a child for which that parent, guardian, or other  
28 person is responsible who fails to report the missing child to the  
29 appropriate law enforcement agency within 24 hours shall be guilty  
30 of a crime of the fourth degree.

31 b. For the purposes of this section, a "missing child" means a  
32 person 13 years of age or younger whose whereabouts are not  
33 currently known.

34  
35 3. This act shall take effect immediately.

36  
37  
38 STATEMENT

39  
40 This bill would increase the penalties for failing to report a death  
41 and would make it crime for failing to report a missing child.

42 Under current law, a person who becomes aware of a death by  
43 criminal violence or accident is required to report that death to the  
44 county medical examiner, the State Medical Examiner, or the  
45 municipal police department where the death occurred. A person

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 who willfully neglects or refuses to report the death, or  
2 who touches, removes, or disturbs the body of the dead person, is  
3 guilty of a disorderly persons offense. A disorderly persons offense  
4 is punishable by up to six months in prison, a fine of up to \$1,000,  
5 or both. This bill would upgrade this offense to a crime of the  
6 fourth degree. Fourth degree crimes are punishable by a term of  
7 imprisonment of up to 18 months, a fine of up to \$10,000, or both.

8 The bill also makes it a crime of the fourth degree for a  
9 responsible parent, guardian, or other person with legal custody of a  
10 child who knew or should have known of the disappearance of that  
11 child to fail to report the missing child to the appropriate law  
12 enforcement agency within 24 hours.

13 This bill, named "Caylee's Law," is in response to the tragic case  
14 of Caylee Anthony, whose mother, Casey Anthony, was recently  
15 found not guilty of Caylee's murder. In that case, Caylee Anthony  
16 was missing for 31 days before her disappearance was reported by  
17 her grandmother. This bill addresses this situation by imposing  
18 harsher penalties on anyone who fails to report a child's death and  
19 criminalizing the failure of parents to promptly notify authorities  
20 when their child is missing.